

REMARKS

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Kato (JP 2001-255426). Claims 2-3, 5-8, 10, 13-16, 21 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato in view of Yamamoto et al. (U.S. Patent No. 6,222,972; hereinafter "Yamamoto").

Claim 4 is identified as being objected to in the Office Action Summary and is not included in either rejection. Applicants understand the objection to claim 4 to be the same objection made in the previous action of March 6, 2007. I.e., claim 4 is objected to as reciting a dependency on a rejected base claim but would be allowable if rewritten in independent form.

Without admitting the propriety of the rejections of the claims, the application has been amended to accept the indicated allowable subject matter. Claim 1 has been amended to include the limitations of claim 4 and intervening claim 3. Claims 3 and 4 have been canceled. Thus, amended claim 1 is the same as claim 4 rewritten in independent form.

Removal of the 35 U.S.C. 102(b) and 103(a) rejections of the claims is believed to be in order and is respectfully requested.

As indicated in the Election of Species Requirement dated November 18, 2005, claim 1 is generic to all species of the present

PATENT APPLN. NO. 10/797,053
RESPONSE UNDER 37 C.F.R. §1.111

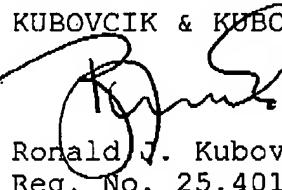
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application. Claim 1 is in condition for allowance and, therefore, rejoinder of withdrawn claims 9, 11, 12, 17 to 20, 22 to 24 and 26 is believed to be in order and is respectfully requested. Since these claims depend directly or indirectly on claim 1, they are *prima facie* patentable in view of the allowability of claim 1.

The foregoing is believed to be a complete and proper response to the Office Action dated September 19, 2007, and is believed to place this application in condition for allowance.

In the event that this paper is not considered to be timely filed, applicants hereby petition for an appropriate extension of time. The fee for any such extension and any additional fees that may be required may be charged to Deposit Account No. 111833.

Respectfully submitted,
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